

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

FLUIDMASTER, INC.,

Plaintiff,

v.

DANCO, INC.,

Defendant.

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Case No. 3:23-cv-2388-E

**DEFENDANT DANCO, INC.'S OPPOSED
MOTION TO EXCLUDE OPINIONS OF DONALD R. HOUSE, SR., PHD**

Pursuant to the Court's Scheduling Order (Dtk. 29) and Federal Rule of Evidence 702, Defendant Danco, Inc. respectfully moves to exclude the opinions of Plaintiff Fluidmaster, Inc.'s damages expert, Donald R. House, Sr. PhD. For the reasons set forth in the accompanying brief and appendix in support of this opposed motion, Dr. House's opinions are unreliable, would not help the jury determine facts in issue, and should be excluded.

Dated: December 26, 2024

Respectfully submitted,

/s/ Robert D. Gravois

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ATTORNEYS FOR DANCO, INC.

CERTIFICATE OF WORD COUNT

The undersigned certifies that this document complies with the word count requirement set forth in the Court's Standing Order dated May 23, 2024 because it contains 69 words.

Dated: December 26, 2024

/s/ Robert D. Gravois
ROBERT D. GRAVOIS

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Defendant Danco, Inc. (including Eric Maurer, Cynthia Lee, Thomas Finch, and Stephanie Barnes) met and conferred with counsel for Plaintiff Fluidmaster, Inc. (Ronald Casey Low) on Thursday, December 19, 2024 via video-conference and subsequent follow-up email correspondence. Counsel for Plaintiff indicated that they oppose this motion and do not believe the referenced testimony is properly subject to exclusion.

Dated: December 26, 2024

/s/ Robert D. Gravois
ROBERT D. GRAVOIS

CERTIFICATE OF SERVICE

The undersigned certifies that on this 26th day of December, 2024 all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system.

Dated: December 26, 2024

/s/ Robert D. Gravois
ROBERT D. GRAVOIS